GOVERNOR GLENDENING'S COMMENTS
AS DRAFTED
SMART CODES SYMPOSIUM
UNIVERSITY OF MARYLAND SCHOOL OF NURSING
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Good morning, it is a pleasure to be here. I thank Frank Lucas, President of the American Institute of Architects, Baltimore, for that kind introduction. Thanks as well to Karen Lewand, and the members and staff of the Baltimore chapter of the American Institute of Architects for making this symposium possible. And, of course, thanks go to David Ramsay, President of the University of Maryland, Baltimore, for hosting this important conference.

It is a pleasure to be here today to speak about one of my favorite topics -- Smart Growth! It is really encouraging to see such a broad cross-section of our State in the audience: builders; planners; developers; architects; environmentalists; community activists; state, county and municipal officials; and so many others. You represent a broad range of experience and expertise. I sincerely appreciate your willingness to roll up your sleeves and help out. The fact is, to make Smart Growth work**,** we must build coalitions like this -- all of us working together toward the same goals.

I am particularly excited about today's brainstorming session. This is where we turn the theories of Smart Growth into the realities of Smart Growth. This is the day when we take a hard, critical look at the zoning requirements, building codes, and other rules and regulations, that make it so difficult to redevelop existing communities, to do infill development, or to develop more compactly. This is the day we begin to decide which of those rules make sense for the future of Maryland ... and which do not.

But I am getting ahead of myself. I will take a moment to put what we are doing here today into a national and statewide context. As most of you know, there is a growing national movement toward more sensible land use patterns. Some people call it "Sustainable Development." Vice President Gore likes to call it "Livable Communities." Here in Maryland, of course, we call it Smart Growth. The goals

of Maryland's program are straightforward: support and enhance existing communities; permanently preserve our most valuable natural resource and agricultural areas; and save taxpayers from the cost of new and often redundant infrastructure needed to support sprawl development.

By whatever name you call it, or however you define it, this shift in thinking offers us a genuine opportunity to make positive, lasting change as we begin a new century. Along with improving the educational opportunities for our children, becoming better stewards of our land and natural resources is the most important thing we can do to improve our collective future.

It is increasingly obvious: We cannot afford to continue the land use patterns of the past half-century. The environmental cost is too high; the social cost is too high; and the financial cost is too high. I am proud that Maryland is considered a national leader in this Smart Growth movement. More than 30 states have contacted us - asking how we did it - and wondering whether they can do it in their states: Governor Mike Leavitt in Utah (a Republican), Governor Angus King in Maine (an Independent), and Governor Roy Barnes in Georgia (a Democrat) have all used Maryland as a model for their own Smart Growth proposals.

The reason for their interest is clear. Just consider a few ways that Smart Growth is already making a difference in Maryland: The portion of our school construction budget dedicated to renovate or modernize schools in established neighborhoods has risen from 45% four years ago to 84% today. We are providing our older communities with schools that are state-of-the-art, so that young families with children will know that they can live in an established neighborhood and still have access to the best possible public education. They need to know that they do not need to go "out there" somewhere to find new schools.

In addition, Maryland is a national leader in land preservation. Since taking office we have used **existing** programs to set aside 59,000 acres of farm land and park land. And we introduced **new** programs like Rural Legacy, a 15-year program that will save an additional 200,000 valuable acres by the year 2011. And all but one of our counties have now mapped their Priority Funding Areas. This exercise has made county officials think about where they want future growth to occur and

where it will be most helpful for the State provide financial assistance. It is interesting to note that when you overlay our Rural Legacy maps with our Priority Funding Area maps, you clearly see the beginning of a locally-designed, Statewide plan for how we should grow in Maryland in the 21st Century. That--by itself-- is a significant step.

But our most important accomplishment to date is that we have begun to change the culture. We are changing the way we do business and the way people think about land use decisions. The phrase "Smart Growth" has become part of the public lexicon, and the philosophy of Smart Growth is now imbedded in our decisions. No project gets into our capital budget or our transportation budget until we are convinced it is consistent with our Smart Growth goals. We have literally turned our $17 billion State budget into an incentive tool for Smart Growth.

I know most of you are familiar with our Smart Growth Incentives: businesses are offered Job Creation Tax Credits to bring new jobs to Smart Growth Areas; Our Brownfields Program brings new investment and new jobs to abandoned or underutilized industrial sites; investments in sidewalks and streetscaping are bringing new vitality to established communities; and homebuyers are taking a second look at these older communities with "Live Near Your Work," 40 @ 4, and other home ownership programs.

These Smart Growth Programs are literally transforming communities. Not too long ago, I toured the Hillendale neighborhood in Baltimore. We were there celebrating because 45 new, young families have moved into Hilllendale, an area that in recent years had been going further and further down. While walking through the neighborhood, there was a lady sitting on her front porch, almost in tears. I went over to talk to her. She looked at me and all the children who were with us, and said that she never thought she would ever again see children outside playing in her neighborhood again. I am pleased to say that this is not just happening here in Maryland. Recently Congress passed a provision providing a one-time $5,000 Federal Tax Credit for first time homebuyers in Washington D.C. The Smart Growth tide that started here in Maryland is beginning to be felt throughout the country.

Our steps are a great beginning, but we must do more: We know we have to make a stronger connection between our transportation decisions and our land use plans. We are doing that. Recent transportation decisions reveal the difficulty we will face as we continue to move from the theory of Smart Growth to the reality of Smart Growth. Everybody wants to go to heaven, but nobody wants to die. And we know there is still "'sprawl" development, often built on septic systems, outside of Priority Funding Areas. We are beginning to address that issue as well. And we know that there are building codes and zoning regulations that have become barriers to the re-use of older buildings. Overcoming those barriers is the problem we will focus on today. These challenges are nothing new: I recall as a council member in Hyattsville how the processes worked against our efforts to revitalize Route 1. Parking regulations and setback requirements made revitalization economically impractical. A good example of how we worked to overcome these challenges as County Executive can be seen in our approach to safety regulations. As you can imagine, many of these older buildings were not in compliance with our latest safety codes. And the law said that if you re/develop one of these buildings, you had to upgrade the public safety features to what they were for new construction. So, **in theory** you end up with a renovate building with the latest safety features. Of course, it was so expensive to retrofit these older buildings under the new standards that **in reality** you ended up a non-renovated, unsafe building. So we found a middle ground. We did not **waive** safety codes that would have been irresponsible. But we worked with public safety officials, housing inspectors and builders to find an acceptable alternative to the burdensome "as if new construction" requirement. Using a common-sense approach, we reached a common sense conclusion. The safety features that could reasonably be enhanced or added were--with particular attention given to building access, and the ones that made renovation of the building cost prohibitive were set aside. As a result we ended up with a renovated building that was without doubt safer than it would have been otherwise. We turned a lose-lose situation into a win-win.

That experience helped me realize that we need to focus on the fundamental driving force behind development decisions - BOTTOM-LINE COST. If government policies of the past had inadvertently encouraged sprawl by making it cost-effective, then new government policies could encourage investment in existing communities and Smart Growth centers. People make bottom-line

decisions. Builders do. Investors do. Homebuyers do. Therefore, it **must** be our goal to change the bottom line.

Here are our challenges: As a homebuilder, or an investor, or a planner, or, as a municipal or county official, or, as a concerned citizen, how can we change the bottom line so that Smart Growth works in our communities? How do we streamline our processes and make our decisions flexible enough to encourage development WHERE WE WANT IT, rather than frustrate builders with delays or unnecessary costs that force them to build in areas we are trying to protect?

How do we align our incentives so that our new growth is channeled into the right locations? How do we make it easier to integrate new growth in the areas where we all agree new growth should go? What codes are preventing us from re-using old buildings? These old buildings are almost always in the heart of our existing communities and often are the structures that give those communities their unique character. We need to save our stock of historic housing by making it possible for builders to convert these old buildings to new uses. Ultimately, Smart Growth cannot work if people cannot build, if people cannot reuse, if people cannot redevelop. Yes, our buildings must be safe, accessible, and fit this historic character of their surroundings. But what requirements are counterproductive? And how can they be streamlined or rewritten to support redevelopment?

We also need to take a fresh look at the requirements that make us build streets and other infrastructure that are incompatible with their surrounding neighborhoods: streets that have no character, or warmth or beauty; or streets that are out of scale with the community through which they run, thereby encouraging speeds that are unsafe for children or families who live or work nearby. We need to develop guidelines that permit more flexibility in design standards and encourage more attractive, livable communities. We have to remember that one size does NOT fit all.

Finally, it is time to ask ourselves: Does segregated zoning build healthy communities? Do we really want those who live in homes over here to drive to stores over there? Why not locate shops so they can serve as the community focal points they are meant to be? We can make our communities walkable again. That

is the way our communities were historically built -- with mixes of uses, mixes of incomes, mixes of people all living and working together.

That recipe still works in Annapolis, and Ellicott City, and in downtown Frederick, and in small communities like Snow Hill, and in Baltimore City's most vibrant neighborhoods. It is ironic that in most parts of this State, you could not build a new Annapolis or a new Ellicott City because it would be illegal! The streets are too narrow, the building setbacks too varied, and the retail, commercial and residential uses are too mixed. Yet these communities are among the most popular, most visited areas in our State. We need to find a way to allow these types of communities to thrive in the State.

There are many other topics for your consideration today: What are the alternatives to off-street parking, and when is it essential to require it? Are there ways to encourage more growth near transit stations or bus stops? How can we make sidewalks, walking paths and bicycle paths an automatic part of our planning? And how can we make sure they are safe, attractive and connected to places people actually want to go?

And, lastly, what are we doing to encourage better DESIGN for our communities. We all know that existing communities routinely oppose new higher density development. But if we can put more emphasis on the "D" in Design instead of the "D" in Density, can we make more compact development not only acceptable, but Desirable? Like Kentlands in Gaithersburg, or Spicer's Run in Bolton Hill, or Victoria's Walk in Easton.

Smart Growth is ready for the next step. The structure of the program is in place. The public will is there to make it happen. The opportunity is within our reach. Are we smart enough and committed enough to grab it? Can we discard what does not work and build on what does? Can we design ourselves a better, more sensible future? I am absolutely convinced we can.

As many of you know, I was a teacher for 27 years. I am used to handing out assignments. So here is your assignment for today: <u>Design for me a model Smart Code for Maryland.</u> I want a Code that any county and municipality in the State

can adopt with confidence that it will not compromise the safety of its residents or visitors. This code should: Preserve and strengthen community character; Encourage quality design and construction; Enhance, rather than detract from, community amenities; Clarify the appropriate time for community input and--at the other end of the process-- clarify a point at which the approval process is over and a decision is FINAL! Most importantly, Maryland's Model Smart Code must truly make our communities more livable. To do that, you must determine what the proper State role is in making both state AND local codes work better.

I know every one of you has plenty of war stories to tell about the obstacles you have faced trying to make one project or another happen. I am asking you to use your experience to develop solutions to these obstacles. Let us figure out where - and how - we GROW from here. Above all, be specific. I am looking for proposals that will be the foundation for our next legislative package. I am looking, for the explicit changes that will put more teeth into Smart Growth. For those of you worried about your grades, here is how you will know if you have passed this assignment: Once your new Smart Code is in place, businesses, home buyers, or major corporations come to Maryland and say: "I want to be in a Smart Growth area because it is less costly, because the process to build or locate there is faster and smoother, and because it is the kind of community in which my family and I want to live."

Obviously, if this were easy, it would have been done already. But if we work hard, our children and grandchildren will look back from the next century and see this as a moment when Marylanders came together to shape a better future. They will see this as the time Maryland stepped forward as THE national leader in community revitalization and environmental protection. Together, we can bring that vision to life.